

103 年公務人員特種考試法務部調查局調查人員考試試題

考試別：調查人員

等 別：四等考試

類科組：各組

科 目：綜合法政知識與英文(包括中華民國憲法、法學緒論、兩岸關係、英文)

- (A) 1. 依憲法第 143 條第 4 項之規定，國家對於土地之分配與整理，應以扶植何者及自行使用土地人為原則，並規定其適當經營之面積？
(A)自耕農 (B)佃農 (C)幫農 (D)長工
- (D) 2. 下列國民之基本義務中，何者並不是憲法所明文規定？
(A)納稅 (B)服兵役 (C)受國民教育 (D)勞動服務
- (C) 3. 憲法規定之平等權，乃指法律之前人人平等。下列敘述何者錯誤？
(A)法律得依營業場所性質設定顧客年齡限制
(B)國家得對經濟弱勢階級給予特別扶助
(C)外國人應與本國人民享受完全相同平等待遇
(D)法人亦為平等權之主體
- (D) 4. 依據司法院釋字第 490 號解釋，下列敘述何者錯誤？
(A)信仰自由保障範圍包含內在信仰之自由、宗教行為之自由與宗教結社之自由
(B)內在信仰之自由，涉及思想、言論、信念及精神之層次，應受絕對之保障
(C)宗教行為之自由與宗教結社之自由，則可能涉及他人自由與權利，甚至可能影響公共秩序、善良風俗、社會道德與社會責任，僅能受相對之保障
(D)宗教之信仰者，雖屬國家之人民，其所應負對國家之基本義務與責任，得因宗教信仰之關係而免除
- (A) 5. 李教授將自己擔任公文大學教授 20 餘年的教學心得，寫成回憶錄出版，此乃憲法保障之何等權利？
(A)表現自由 (B)訴訟權 (C)生存權 (D)應考試服公職之權利
- (C) 6. 依公職人員選舉罷免法規定，選舉人不得將圈選內容出示他人。此乃憲法所定之何種選舉原則？
(A)直接 (B)平等 (C)無記名 (D)普通
- (A) 7. 行政院對於立法院決議通過之法律案認為有窒礙難行者，得經總統之核可，最久於該決議案送達行政院幾日內移請立法院覆議？
(A) 10 日 (B) 15 日 (C) 20 日 (D) 30 日
- (C) 8. 依憲法增修條文第 12 條之規定，對於立法院所提出之憲法修正案，須經由自由地區選舉人複決，如何才算通過？
(A)選舉人二分之一以上投票，投票數二分之一以上同意
(B)選舉人二分之一以上投票，投票數三分之一以上同意
(C)選舉人總額過半數同意
(D)選舉人總額過三分之一以上同意
- (A) 9. 司法院釋字第 554 號解釋認為刑法第 239 條對通姦行為之處罰並不違憲，並以婚姻關係存續中，配偶之一方的通姦行為，應否以罪刑相加，各國國情不同，應由那一機關衡酌定之？
(A)立法機關 (B)行政機關 (C)司法機關 (D)監察機關
- (C) 10. 監察委員是由總統提名，經下列何者同意任命之？
(A)考試院 (B)司法院 (C)立法院 (D)直轄市市議會
- (D) 11. 依民法第 1 條規定，民事法規之適用順序，下列敘述何者正確？
(A)命令，法理，法律 (B)習慣，法律，法理
(C)法理，習慣，法律 (D)法律，習慣，法理
- (A) 12. 下列那一種由地方自治團體所制訂的法規範，非由地方行政機關公布或發布？

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- (A)自律規則 (B)委辦規則 (C)自治規則 (D)自治條例
- (C) 13. 依現行行政訴訟法之規定，我國行政訴訟的審級，係採何種制度？
(A)一級一審 (B)二級二審 (C)三級二審 (D)三級三審
- (D) 14. 依憲法增修條文之規定，下列有關我國修改憲法程序之敘述，何者錯誤？
(A)經立法委員四分之一之提議
(B)立法委員四分之三之出席，及出席委員四分之三之決議，提出憲法修正案
(C)公告半年後，經中華民國自由地區選舉人投票複決，有效同意票過選舉人總額之半數，即通過之
(D)經大法官審議
- (C) 15. 下列何者，管理人可以請求無因管理的費用支出償還？
(A)耕地承租人對耕地播種、施肥，向耕地所有權人主張費用償還
(B)觀光旅館幫房客清掃房間，向房客主張費用償還
(C)隔壁鄰居幫忙滅火，以避免自己房屋著火，向鄰居主張費用償還
(D)受市府委託的拖吊業者，拖吊違規停車車輛，向車主主張費用償還
- (D) 16. 依照現代刑法學界所採行的三階層犯罪審查體系，下列何種審查先後之排序係屬正確？
①罪責（有責性）②構成要件該當性③個人之減免刑罰事由④違法性
(A)①②③④ (B)②①③④ (C)②③①④ (D)②④①③
- (C) 17. 下列何種契約的生效，須以當事人之一方就標的物有處分權為必要？
(A)買賣契約 (B)租賃契約 (C)抵押權設定契約 (D)贈與契約
- (C) 18. 股份有限公司之董事長如何選出？
(A)由股東會選舉產生 (B)由監察人選舉產生
(C)由董事會選舉產生 (D)由監察人與董事會共同選舉產生
- (D) 19. 下列何種著作權之保護期間最長？
(A)改作權 (B)公開播送權 (C)編輯權 (D)姓名表示權
- (C) 20. 勞工保險條例規定有兩種事故的保險，分別是普通事故保險及職業災害保險。下列那一種保險給付只存在於普通事故保險，而不存在於職業災害保險？
(A)傷病給付 (B)失能給付 (C)老年給付 (D)死亡給付
- (A) 21. 臺灣地區各級地方政府機關，若未經那個政府單位授權，不得與大陸地區人民、法人、團體或其他機關，以任何形式協商簽署協議？
(A)大陸委員會 (B)內政部 (C)立法院 (D)國家安全局
- (D) 22. 臺灣對大陸的政策主張，依提出時間的先後順序，下列何者正確？①終止國家統一綱領②與中共簽署海峽兩岸經濟合作架構協議（ECFA）③成立財團法人海峽交流基金會④兩岸直接通郵、通航、常態包機
(A)①④③② (B)②①④③ (C)①③②④ (D)③①④②
- (C) 23. 下列何者為馬英九總統任內的大陸政策？
(A)戒急用忍 (B)積極開放、有效管理
(C)開放陸資來臺直接投資 (D)宣布實行「小三通」政策
- (A) 24. 1972 年中共周恩來和美國尼克森簽署聯合公報，中共當局宣稱：「解放臺灣是中國內政，別國無權干涉」，為下列那一個公報？
(A)上海公報 (B)建交聯合公報 (C)八一七公報 (D)新聞公報
- (D) 25. 馬英九總統的大陸政策，不包括下列那一項？
(A)開放臺灣地區辦理人民幣兌換業務
(B)核准國內銀行赴大陸地區設立分行
(C)恢復新華社和人民日報來臺駐點採訪
(D)開放陸資來臺投資移民或投資居留
- (A) 26. 大陸對臺灣的政策主張，依提出時間的先後順序，下列何者正確？①成立海峽兩岸關係協會②江八點③通過反分裂國家法④葉九條
(A)④①②③ (B)②③①④ (C)①④③② (D)③④②①
- (B) 27. 將兩岸關係定位為「特殊國與國的關係」，是那一位總統的政策？

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(A)蔣經國 (B)李登輝 (C)陳水扁 (D)馬英九

- (A) 28. 根據臺灣地區與大陸地區人民關係條例之規定，夫妻之一方為臺灣地區人民，一方為大陸地區人民者，其結婚或離婚之效力依據為何？
(A)依臺灣地區之法律 (B)依大陸地區之法律
(C)依兩岸雙方協議之規定 (D)依國際慣例
- (B) 29. 臺灣地區人民、法人、團體或其他機構，經下列那個政府機關許可，得在大陸地區從事投資或技術合作？
(A)內政部 (B)經濟部 (C)大陸委員會 (D)金融監督管理委員會
- (D) 30. 有關大陸委員會和財團法人海峽交流基金會的敘述，下列何者錯誤？
(A)大陸委員會對財團法人海峽交流基金會的業務有指示、監督的權責
(B)大陸委員會與財團法人海峽交流基金會在雙方的權利義務，依照委託契約約定
(C)財團法人海峽交流基金會係依據臺灣地區與大陸地區人民關係條例而成立與運作
(D)大陸委員會和財團法人海峽交流基金會皆為政府正式機構，隸屬於行政院
- (B) 31. Overly thick soups can be _____ by mixing them with a small amount of liquid.
(A)conceded (B)diluted (C)grazed (D)migrated
- (B) 32. Leonardo da Vinci was _____ by mathematics, applied it to his paintings and for many years thought it contained the key to all knowledge.
(A)besieged (B)fascinated (C)imposed (D)prescribed
- (B) 33. Alison is a _____ leader who is not afraid of making important decisions under stressful, critical conditions.
(A)secure (B)decisive (C)vivid (D)sociable
- (B) 34. The school library was not able to _____ to Joan's needs, so she had to pay a regular visit to the city library.
(A)appeal (B)cater (C)apply (D)resort
- (A) 35. I am sorry. This book is not _____; it has been out of print for ten years.
(A)available (B)edible (C)portable (D)variable
- (A) 36. Social networks like facebook and twitter have _____ young people's social life and communicating mode.
(A)dominated (B)demand (C)deported (D)discharged

第 37 題至第 41 題為題組

Until recently, most American school textbooks told only part of Columbus' story, and that part made him look like a brave hero. He was presented as the man who discovered the "New World." But a more balanced presentation would have shown another side to the story: it would have described some values and beliefs that Columbus shared with most European travelers of that time and with the kings and queens of their nations in the "Old World." First of all, they were hungry for gold, and were willing to do anything to get it. Second, they believed that they had the right to claim other people's land for their own nations (especially if the inhabitants there were not Christians, were uncivilized, and looked very different from them). Finally, they believed that they had a right to do anything they pleased with the native inhabitants of those lands.

On his first voyage, Columbus claimed all the lands that he found for the king and queen of Spain. He gave Spanish names to many of the islands that he discovered. He took ten native Indians captives and forced them to return to Spain with him, but four of them died on shipboard. During their captivity the remaining six were taught Spanish, and Columbus took them back to America on his second voyage to serve as interpreters.

From the very first voyage, Columbus suggested the possibility of making the

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Indians slaves to the king and queen of Spain. On the second voyage, he put this idea into practice in the most brutal way possible.

- (B) 37. What is this passage mainly about?
(A) European travelers. (B) The explorer Columbus
(C) Who discovered the New World (D) The New World and the Old World.
- (C) 38. What does the author think about most American school textbooks in presenting Columbus' voyages?
(A) They told the truth
(B) They were boring but accurate
(C) They did not present all the facts.
(D) They were informative and interesting.
- (A) 39. According to the passage, what did Columbus do to the native inhabitants on those lands he found?
(A) He occupied their lands. (B) He hired them to work for him.
(C) He made their lives better. (D) He gave them Spanish names.
- (D) 40. Which of the following correctly describes the values and beliefs of Columbus and most European travelers of his time?
(A) They believed that all men were created equal.
(B) They considered it wrong to change people's religious faith.
(C) They believed moral standards were more important than gold.
(D) They thought they had the right to rule the inhabitants in the New World.
- (B) 41. What is the author's attitude towards Columbus?
(A) Admirable (B) Critical (C) Indifferent (D) Sympathetic

第 42 題至第 45 題為題組

People have always told stories that explain how the world came to be and how people arrived on it. On the Northwest Coast of North America, Native Americans tell about Raven. Raven is a giant bird that can 42 human form by pushing up his beak and shrugging off his wings, which then become a coat. According to tradition, the universe 43 a wide ocean that covered swampy ground. Birds and sea creatures lived in and around it. Raven made the earth by picking up stones with his beak and dropping them into the ocean. When the earth was big enough, Raven flew down and walked on the shore, looking out at the vast ocean and feeling lonely. Then he began to hear tiny voices, 44 seemed to be coming from a clam shell at his feet. Raven pried open the clam shell with his mighty claws and peered in. Inside the clam shell 45 people. As the story goes, Raven coaxed them out of the shell and set them on the land, and they were the first people of the Haida tribe of the Northwest Coast.

- (A) 42. (A) transform himself into (B) expose himself to
(C) separate himself from (D) occupy himself with
- (C) 43. (A) was used to being (B) would soon be (C) used to be (D) has been
- (B) 44. (A) where (B) which (C) that (D) what
- (B) 45. (A) was (B) were (C) had (D) had been

第 46 題至第 50 題為題組

The term "First Lady" is used to refer to the wife of an elected official. In many countries, it is usually 46 for the wife of the President. The term is also used to describe the leading woman of a certain profession, which is 47 Martha Graham, the great American dancer, is often referred to as the first lady of modern dance.

Though the term has been adopted by countries all over the world, it is commonly 48 back to Dolly Madison, wife of the fourth U.S. President, James Madison. While

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her husband was serving as Secretary of State for third President Thomas Jefferson, Dolley was often asked by Jefferson, a widower, to serve as his First Lady for official ceremonial functions. She then continued her service through her husband's two 49 as President. When she died in 1849, legend 50 it that then President Zachary Taylor called her "First Lady" in his eulogy. However, no record of this speech has ever been found.

- (D) 46. (A)arranged (B)occupied (C)provided (D)reserved
(B) 47. (A)what (B)why (C)when (D)who
(A) 48. (A)traced (B)referred (C)exchanged (D)allocated
(C) 49. (A)times (B)rounds (C)terms (D)marks
(B) 50. (A)gets (B)has (C)says (D)takes

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